

CHAPTER NO. 952

HOUSE BILL NO. 3408

By Representative McMillan

Substituted for: Senate Bill No. 3342

By Senators Cooper, Person

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 3, relative to certificates of title.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-3-103, is amended by adding the following language as a new subsection:

(e)

(1) Notwithstanding any provision of this chapter to the contrary, a person may apply for certificate of title to a vehicle lacking proper documentation if such vehicle has a fair market value of three thousand dollars (\$3,000) or less and such person submits a certificate of ownership signed under penalty of perjury on a form prescribed by the department. Such certificate of ownership shall be accompanied by the following supporting documentation:

(A) Return receipts from certified letters with a return receipt requested sent to all known parties with a legal interest in the vehicle requesting an assigned certificate of title or, in the event the previous owner is unknown to the applicant, evidence of notification, in a publication of general circulation in the county in which the application is being made, of the applicants intent to apply for title on the vehicle. The notification must contain a description of the vehicle including; make, model, year and vehicle identification number, and a request to any and all parties holding an interest in the vehicle to contact the person in possession of the vehicle by certified mail, return receipt requested within ten (10) business days of the date of the publication, and

(B) Verification of the vehicle identification number (VIN) by a law enforcement officer or licensed dealer; and

(C) A notarized bill of sale from the last registered owner or a notarized statement from the seller stating why

the vehicle was not titled or registered in the seller's name;
and

(D) In the absence of documentation pursuant to subdivision (e)(1)(C), a licensed motor vehicle dealer appraisal of the value of the vehicle;

(E) Photographs of the vehicle in pre-repaired state; if unavailable, then post repair photographs shall be submitted along with a notarized statement from the applicant that no pre-repaired photographs are available and that the person was unaware such would be required before the repairs were made; if no repairs were made the statement should likewise state; and

(F) In the event a vehicle was purchased new and never titled and the manufacturer's statement of origin has been lost and a duplicate of the original manufacturer's statement of origin cannot be obtained from the manufacturer, a complete copy of the original manufacturer's statement of origin certified as true and exact shall be required.

(2) Upon submission of a complete certificate of ownership form with the required supporting documentation and payment of the appropriate fee, a certificate of title shall be issued. A certificate of title issued pursuant to the provisions of this subsection shall not relieve the registrant of civil or criminal liability resulting from possession of the vehicle as otherwise provided by law. Issuance of a title or registration under the certification provisions is solely dependent on the applicant's ability to provide satisfactory evidence of their legal right of ownership and conformity to all related provisions as prescribed in §55-2-107.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 25, 2006


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 20th day of June 2006


PHIL BREDESEN, GOVERNOR